

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

GARY M. COPNEY,

Plaintiff,

Case No. 16-cv-11604
Hon. Matthew F. Leitman

v.

MEIJER GREAT LAKES, LTD.,

Defendant.

ORDER DISMISSING PLAINTIFF'S COMPLAINT

On March 28, 2016, Plaintiff Gary M. Copney ("Copney") filed this action against Defendant Meijer Great Lakes, Ltd. ("Meijer") in Michigan's 15th District Court. (*See* Compl., ECF #1-1 at 2-4, Pg. ID 5-7.) Copney alleges that Meijer unlawfully discriminated against him in violation of the Veterans Employment Opportunities Act. (*See id.*) Meijer thereafter removed Copney's action to this Court. (*See* ECF #1.)

On July 27, 2016, the assigned Magistrate Judge issued a Report and Recommendation that the Court dismiss Copney's Complaint under Federal Rule of Civil Procedure 41(b) (the "R&R"). (*See* ECF #13.) According to the Magistrate Judge, Copney has failed to prosecute his claims and comply with court orders. Among other things, the Magistrate Judge cited Copney's failure to participate in a scheduled telephonic status conference on June 28, 2016, and his

failure to respond to an order to show cause why the Court should not dismiss his Complaint (*see* ECF #11) as examples of his failure to participate in this action. (*See id.* at 2, Pg. ID 48.) After recommending that the Court dismiss Copney's Complaint, the Magistrate Judge informed the parties that if they wanted to seek review of his recommendation, they needed to file specific objections with the Court within fourteen days. (*See id.* at 13, Pg. ID 52.)

Copney has not filed any objections to the R&R. The failure to file objections to an R&R waives any further right to appeal. *See Howard v. Sec'y of Health and Human Servs.*, 932 F.2d 505 (6th Cir. 1991); *Smith v. Detroit Fed'n of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987). Likewise, the failure to object to an R&R releases the Court from its duty to independently review the matter. *See Thomas v. Arn*, 474 U.S. 140, 149 (1985).

Accordingly, because Copney has failed to file any objections to the R&R, **IT IS HEREBY ORDERED** that the Magistrate Judge's recommendation to dismiss Copney's Complaint is **ADOPTED**.

IT IS FURTHER ORDERED that Copney's Complaint (ECF #1) is **DISMISSED WITH PREJUDICE**.

Dated: August 10, 2016

s/Matthew F. Leitman
MATTHEW F. LEITMAN
UNITED STATES DISTRICT JUDGE

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on August 10, 2016, by electronic means and/or ordinary mail.

s/Holly A. Monda

Case Manager

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